

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

OMAR H WESLEY,

Plaintiff,

Case No. 19-cv-0918-bhl

v.

ARMOR CORRECTIONAL HEALTH
SERVICES INC, et al.,

Defendants.

ORDER GRANTING MOTION TO DISMISS

On November 2, 2020, defendant Suzanne Williams filed a motion to dismiss some of the claims brought against her pursuant to Fed. R. Civ. P. 12(b)(6). (ECF No. 133.) In her supporting brief, Williams argues that plaintiff Omar H Wesley failed to state a claim against her because alleged violations of Title II of the Americans with Disabilities Act and of section 504 of the Rehabilitation Act cannot be brought against individuals, and because section 1983 may not be used to enforce a private right of action under those Acts. (ECF No. 134.) Wesley does not oppose the motion and agrees that the personal capacity claims against Williams may be dismissed. (ECF No. 136.) Accordingly,

IT IS HEREBY ORDERED that Williams' motion to dismiss, ECF No. 133, is GRANTED. The claims in Wesley's amended complaint against Williams individually, ECF No. 98 at ¶¶ 379-94, are DISMISSED.

Dated at Milwaukee, Wisconsin on December 2, 2020.

s/ Brett H. Ludwig
BRETT H. LUDWIG
United States District Judge
